

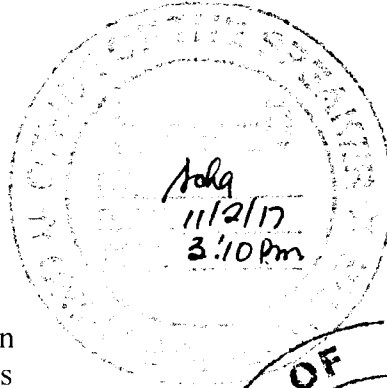


GOV. COMM. 20-119
(HOUSE)

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Ralph DLG. Torres
Governor

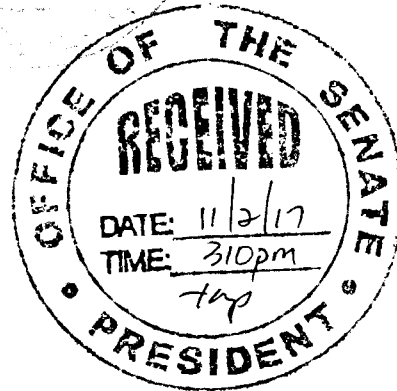
Victor B. Hocog
Lieutenant Governor



01 NOV 2017

The Honorable Rafael S. Demapan
Speaker, House of Representatives
Twentieth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

The Honorable Arnold I. Palacios
Senate President, The Senate
Twentieth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950



Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 20-66, entitled, "To amend 1 CMC §8602(b), Law Enforcement Mandatory Drug Testing to eliminate the condition that testing is subject to the availability of funds.", which was passed by the House of Representatives and the Senate of the Twentieth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 20-24**. Copies bearing my signature are forwarded for your reference.

Sincerely,

RALPH DLG. TORRES

cc: Lt. Governor; Press Secretary; Office of Personnel & Management; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review

HOUSE CLERK'S OFFICE
RECEIVED BY
DATE 11/8/17 TIME 4:23 pm



*Twentieth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

FIRST SPECIAL SESSION

APRIL 3, 2017

REPRESENTATIVE GLENN L. MARATITA of Rota, Precinct 7 (*for himself*.) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 20-66

AN ACT


**TO AMEND 1 CMC §8602(B), LAW ENFORCEMENT
MANDATORY DRUG TESTING TO ELIMINATE THE CONDITION
THAT TESTING IS SUBJECT TO THE AVAILABILITY OF
FUNDS.**

The Bill was referred to the House Committee on Judiciary and Governmental Operations, which submitted Standing Committee Report 20-37; adopted 6/27/17.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, JULY 6, 2017;**
without amendments and transmitted to the
THE SENATE.

The Bill was not referred to a Senate Committee.
THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, SEPTEMBER 20, 2017;
without amendments and was returned to
THE HOUSE OF REPRESENTATIVES.

THE BILL WAS FINALLY PASSED ON JULY 6, 2017.



Linda B. Muña, House Clerk



*Twentieth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

SECOND DAY, FIFTH SPECIAL SESSION

JULY 6, 2017

H. B. NO. 20-66

AN ACT

**TO AMEND 1 CMC §8602(B), LAW ENFORCEMENT MANDATORY
DRUG TESTING TO ELIMINATE THE CONDITION THAT TESTING
IS SUBJECT TO THE AVAILABILITY OF FUNDS.**

**Be it enacted by the Twentieth Northern Marianas Commonwealth
Legislature:**

1 **Section 1. Findings.** The current requirement for the mandatory drug testing of law
2 enforcement officers is “subject to the availability of funds”. It is believed that departments
3 and agencies are the “subject to the availability of funds” language as justification for not
4 performing the mandatory drug testing. This bill eliminates the qualifying language in order
5 to eliminate any ambiguity in the statute.

6 **Section 2. Amendment.** Title 1 Section 8602(b) is amended as follows:

7 “(b) Number to be tested. No more than twenty-five percent of all employees
8 performing safety-sensitive functions in each department or agency each year shall be
9 required to submit to breath alcohol testing and no more than fifty percent shall be
10 required to submit to urine testing. Except each year one hundred percent of law

HOUSE BILL 20-66

1 enforcement officers, as defined in 1 CMC § 8282, shall be required to submit to
2 urine testing. The actual percentage will be determined at the beginning of each fiscal
3 year for each department or agency by the Office of Personnel Management's
4 Alcohol and Drug Free Workplace Coordinator, in consultation with the appointing
5 authority and the MRO after reviewing the department's or agency's prior positive
6 testing rates, reasonable suspicion and post accident events, and referrals for service."


7 **Section 3. Severability.** If any provisions of this Act or the application of any such
8 provision to any person or circumstance should be held invalid by a court of competent
9 jurisdiction, the remainder of this Act or the application of its provisions to persons or
10 circumstances other than those to which it is held invalid shall not be affected thereby.

11 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not be
12 construed as affecting any existing right acquired under contract or acquired under statutes
13 repealed or under any rule, regulation, or order adopted under the statutes. Repealers
14 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
15 The enactment of the Act shall not have the effect of terminating, or in any way modifying,
16 any liability, civil or criminal, which shall already be in existence on the date this Act
17 becomes effective.


HOUSE BILL 20-66

1 **Section 5. Effective Date.** This Act shall take effect upon its approval by the
2 Governor, or its becoming law without such approval.

Attested to by: 
Linda B. Muña, House Clerk

Certified by: 
SPEAKER RAFAEL S. DEMAPAN
House of Representatives
20th Northern Marianas Commonwealth Legislature

Approved this 2nd day of November, 2017


RALPH RLG. TORRES
Governor
Commonwealth of the Northern Mariana Islands